

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF OHIO

STEVEN B. BARGER, an individual,

Civil Case No. EDNY: 1:17-cv-04869-FB-LB

Plaintiff,

-v-

Civil Case No. 1:18-mc-00010

FIRST DATA CORPORATION, et al.,

Defendants,

-v-

JULIE K. KELLY, an individual,

Third Party Witness.

2018 OCT 10 AM 11:48

MOTION FOR CLARIFICATION

I am Julie Kelly and I am representing myself in case 1:18-mc-00010. On October 9, 2018 Judge Dlott issued an order (Doc 29). In the body of the Order Judge Dlott states that:

"Ms. Kelly must appear for a deposition on October 15, 2018 at noon to be held at the United States Potter Stewart Courthouse, Room 203, 100 East Fifth Street, Cincinnati, Ohio 45202. Ms. Kelly must bring any and all documents in her possession as requested in the Subpoena previously issued for the August 31, 2018 deposition. The deposition will conclude no later than 5:00 p.m. Unless otherwise agreed, Ms. Kelly shall be allowed two five minute breaks and one fifteen minute break during the five hour deposition."

I am requesting clarification as soon as possible of the following issues.

1. I need to know specifically if Judge Dlott is granting docket 1 in its entirety.

2. I also request clarification to exactly which subpoena is being referenced in the above quoted excerpt. Please provide me a docket number and the date of issuance of the subpoena which is referenced, so that I may be precise in my understanding and resulting acts.
3. I also request that this Motion and clarification points be made timely, as I was denied (twice) the ability to e-file and do not receive court papers at the same time that the other parties of this action do. This denial has severely prejudiced my ability to provide adequate representation for myself, which is my constitutional right.

Respectfully,

Julie K. Kelly
823 Dorgene Lane
Cincinnati, OH 45244

Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2018, a copy of the foregoing document was delivered to the Clerk of Court for filing in the Court's electronic filing system (CM/ECF), which will send electronic notification of such filing to all parties represented by attorneys who are registered CM/ECF users.

October 10, 2018

Julie K. Kelly
Pro Se

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CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this **MOTION FOR CLARIFICATION**: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the **MOTION FOR CLARIFICATION** otherwise complies with the requirements of Rule 11.

October 10, 2018

[Signature]
Pro Se
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